

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

CHRISTOPHER MATHEWS and
KERRY MATHEWS, individually,
and as parents and natural
guardians of G.M., a minor,

Plaintiffs,

v.

ABINGTON HEIGHTS SCHOOL
DISTRICT,

Defendant.

CIVIL ACTION NO. 3:22-CV-00959


(SAPORITO, M.J.)

ORDER

AND NOW, this 21st day of February, 2024, in accordance with
the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. The defendant's motion to dismiss (Doc. 16) is **GRANTED**;
2. The amended complaint is **DISMISSED** for failure to state a claim upon which relief can be granted, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure; and
3. The plaintiffs are granted leave to file a second amended complaint **within fourteen (14) days** after entry of this order, provided, however, that the scope of amendments is limited to the plaintiff's state-created danger substantive due process claim, previously set forth in

Count IV of the amended complaint.


JOSEPH F. SAPORITO, JR.
United States Magistrate Judge